

In the
Supreme Court of the United States

CITY OF TAHLEQUAH, OKLAHOMA;
BRANDON VICK; JOSH GIRDNER,

Petitioners,

v.

AUSTIN P. BOND, AS SPECIAL ADMINISTRATOR OF
THE ESTATE OF DOMINIC F. ROLLICE, DECEASED,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

**MOTION FOR LEAVE TO FILE AND
BRIEF OF AMICUS CURIAE
NATIONAL POLICE ASSOCIATION
IN SUPPORT OF PETITIONERS**

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MOTION FOR LEAVE TO FILE BRIEF

Under Supreme Court Rule 37.2(b), the National Police Association (“NPA”) respectfully moves for an Order from the Court granting it leave to file the accompanying brief as *amicus curiae* in support of the Petitioners. The consent of counsel for Petitioners, City of Tahlequah, Oklahoma, Brandon Vick, and Josh Girdner, has been obtained via electronic mail dated June 10, 2021, but the consent of counsel for Respondent Austin Bond, as Special Administrator of the Estate of Dominic Rollice, was withheld via electronic mail dated June 11, 2021, without stating a reason. Rule 37.2(a) requires that the consent of counsel be obtained at least 10 days before submission of an *amicus curiae* brief. Respecting this rule, NPA requested the consent of Petitioners and Respondents via electronic mail on June 9, 2021 and June 11, 2021, respectively. These dates were well in advance of the July 1, 2021 deadline to file *amicus curiae* briefs in support of Petitioners. By so requesting, NPA provided counsel for Petitioners and Respondent notice of this organization’s interest in this case prior to the drafting of the *amicus curiae* brief.

The National Police Association is an Indiana non-profit corporation founded to provide educational assistance to supporters of law enforcement and support to individual law enforcement officers and the agencies they serve. The NPA seeks to bring important issues in the law enforcement realm to the forefront of public discussion in order to facilitate remedies and broaden public awareness.

As part of its efforts to advocate for law enforcement the nation over, the NPA participates in the

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judicial process when and where legal issues important to the effective and compassionate administration of justice are implicated. The NPA has filed numerous *amicus curiae* briefs in state and federal courts nationwide pursuant to the above-stated goals.

In the amicus brief filed concurrently with this Motion, the NPA brings to the Court’s attention unique factual and legal problems posed by the decision below. These problems include the fact that the decision below directly contradicts binding Supreme Court precedent that has governed Fourth Amendment excessive force claims for over thirty years. Moreover, the decision below places citizens and law enforcement in increased danger because of a new, on-the-spot, and near-impossible analysis it requires officers to make in high-stress, life-or-death situations. These concerns, discussed at length in the accompanying *amicus curiae* brief, provide the reasons the Court should grant NPA’s motion.

Respectfully submitted,

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